



House of Representatives

General Assembly

File No. 15

February Session, 2008

Substitute House Bill No. 5040

House of Representatives, March 11, 2008

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT ESTABLISHING A CONNECTICUT PUBLIC SAFETY DATA NETWORK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2008*) As used in this section and
2 sections 2 and 3 of this act:

3 (1) "Data" means a representation of text, images, voice or
4 information in a form suitable for transmission in a digital format;

5 (2) "Data network" means a system of connectivity that allows for
6 the transmission of data from nodal point to nodal point;

7 (3) "IP" means Internet protocol or a standard method for
8 addressing data to allow data to traverse multiple and diverse
9 networks;

10 (4) "Fiber optic" means a technology that allows for the transmission
11 of large amounts of data over networks based upon the utilization of

12 light beams over fibers;

13 (5) "COLLECT" means the Connecticut On-Line Law Enforcement
14 Communications Teleprocessing System;

15 (6) "PRAWN" means the Paperless Re-Arrest Warrant Network;

16 (7) "OBTS" means the Offender Based Tracking System;

17 (8) "SOR" means the Sex Offender Registry;

18 (9) "AFIS" means the Automated Fingerprint Identification System;

19 (10) "E 9-1-1" means the enhanced 9-1-1 service, as defined in section
20 28-25 of the general statutes; and

21 (11) "NICS" means the National Instant Criminal Background Check
22 System.

23 Sec. 2. (NEW) (*Effective July 1, 2008*) (a) The Commissioner of Public
24 Safety shall establish a Connecticut Public Safety Data Network in an
25 electronic format that allows for the exchange of information among all
26 public safety personnel in a manner that will facilitate the work of such
27 personnel. The Connecticut Public Safety Data Network shall have the
28 following objectives, to: (1) Consolidate existing state agency stand-
29 alone networks, including, but not limited to, COLLECT, PRAWN,
30 AFIS, OBTS, SOR, NICS and E 9-1-1, (2) enhance 9-1-1 data exchange
31 functionality, and (3) provide for the convergence of data and voice
32 communications systems. The commissioner shall ensure that
33 implementation of the Connecticut Public Safety Data Network
34 complies with all state and federal requirements for controlled or
35 limited access data.

36 (b) Phase I of the creation of the Connecticut Public Safety Data
37 Network shall provide high-speed fiber optic connectivity to all public
38 safety answering points authorized by the Commissioner of Public
39 Safety. On or before June 30, 2009, the Office of State-wide Emergency
40 Telecommunications shall create technical and operational standards

41 for the establishment of the Connecticut Public Safety Data Network
42 for Phase I.

43 (c) Phase II of the Connecticut Public Safety Data Network shall
44 provide for the expansion of the Connecticut Public Safety Data
45 Network to other public safety related organizations with emergency
46 response responsibilities.

47 (d) On or before January 15, 2009, and annually thereafter, the
48 Department of Public Safety shall report, in accordance with section
49 11-4a of the general statutes, on the status of the implementation of the
50 Connecticut Public Safety Data Network to the joint standing
51 committee of the General Assembly having cognizance of matters
52 relating to public safety. Such report shall: (1) Contain an inventory of
53 all public safety personnel, (2) list all connections completed to such
54 personnel, (3) identify actions and resources needed to complete
55 connections to all such personnel, and (4) include a list of memoranda
56 of understanding entered into pursuant to section 3 of this act.

57 Sec. 3. (NEW) (*Effective July 1, 2008*) The Commissioner of Public
58 Safety shall enter into memoranda of understanding with all public
59 safety personnel concerning the use of the Connecticut Public Safety
60 Data Network and cost sharing related to such use. To the extent
61 possible, revenue sources used to finance existing networks shall be
62 utilized to fund the use of the Connecticut Public Safety Data Network.
63 Existing memoranda of understanding regarding the use of controlled
64 access systems, including COLLECT, PRAWN, AFIS, OBTS, SOR,
65 NICS and E 9-1-1, shall be revised where necessary to comply with
66 state or federal law in order to provide for such systems' inclusion in
67 the Connecticut Public Safety Data Network.

68 Sec. 4. Subsection (a) of section 16-256g of the 2008 supplement to
69 the general statutes is repealed and the following is substituted in lieu
70 thereof (*Effective July 1, 2008*):

71 (a) By June first of each year, the Department of Public Utility
72 Control shall conduct a proceeding to determine the amount of the

73 monthly fee to be assessed against each subscriber of: (1) Local
74 telephone service, (2) commercial mobile radio service, as defined in 47
75 CFR Section 20.3, (3) voice over Internet protocol service, as defined in
76 section 28-30b of the 2008 supplement to the general statutes, and (4)
77 prepaid wireless telephone service, as defined in section 28-30b of the
78 2008 supplement to the general statutes, to fund the development and
79 administration of the enhanced emergency 9-1-1 program. The
80 department shall base such fee on the findings of the Commissioner of
81 Public Safety, pursuant to subsection (c) of section 28-24, as amended
82 by this act, taking into consideration any existing moneys available in
83 the Enhanced 9-1-1 Telecommunications Fund. The department shall
84 consider the progressive wire line inclusion schedule contained in the
85 final report of the task force to study enhanced 9-1-1
86 telecommunications services established by public act 95-318*. The
87 department shall not approve any fee greater than [fifty] sixty cents
88 per month per access line nor shall it approve any fee that does not
89 include the progressive wire line inclusion schedule.

90 Sec. 5. Subsection (c) of section 28-24 of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective July*
92 *1, 2008*):

93 (c) Within a time period determined by the commissioner to ensure
94 the availability of funds for the fiscal year beginning July 1, 1997, to the
95 regional public safety emergency telecommunications centers within
96 the state, and not later than April first of each year thereafter, the
97 commissioner shall determine the amount of funding needed for the
98 development and administration of the enhanced emergency 9-1-1
99 program. The commissioner shall specify the expenses associated with
100 (1) the purchase, installation and maintenance of new public safety
101 answering point terminal equipment, (2) the implementation of the
102 subsidy program, as described in subdivision (2) of subsection (a) of
103 this section, (3) the implementation of the transition grant program,
104 described in subdivision (2) of subsection (a) of this section, (4) the
105 implementation of the regional emergency telecommunications service
106 credit, as described in subdivision (2) of subsection (a) of this section,

107 provided, for the fiscal year ending June 30, 2001, and each fiscal year
108 thereafter, such credit for coordinated medical emergency direction
109 services as provided in regulations adopted under this section shall be
110 based upon the factor of thirty cents per capita and shall not be
111 reduced each year, (5) the training of personnel, as necessary, (6)
112 recurring expenses and future capital costs associated with the
113 telecommunications network used to provide emergency 9-1-1 service
114 and the public safety services data networks, (7) for the fiscal year
115 ending June 30, 2001, and each fiscal year thereafter, the collection,
116 maintenance and reporting of emergency medical services data, as
117 required under subparagraphs (A) and (B) of subdivision (8) of section
118 19a-177, provided the amount of expenses specified under this
119 subdivision shall not exceed two hundred fifty thousand dollars in any
120 fiscal year, (8) for the fiscal year ending June 30, 2001, and each fiscal
121 year thereafter, the initial training of emergency medical dispatch
122 personnel, the provision of an emergency medical dispatch priority
123 reference card set and emergency medical dispatch training and
124 continuing education pursuant to subdivisions (3) and (4) of
125 subsection (g) of section 28-25b, [and] (9) the administration of the
126 enhanced emergency 9-1-1 program by the Office of State-Wide
127 Emergency Telecommunications, as the commissioner determines to
128 be reasonably necessary, and (10) implementation of Phase I of the
129 Connecticut Public Safety Data Network, as specified in section 2 of
130 this act. The commissioner shall communicate the commissioner's
131 findings to the chairperson of the Public Utilities Control Authority not
132 later than April first of each year.

133 Sec. 6. Section 28-29a of the general statutes is repealed and the
134 following is substituted in lieu thereof (*Effective July 1, 2008*):

135 There is established an E 9-1-1 Commission to advise the office in
136 the planning, design, implementation and coordination of the
137 state-wide emergency 9-1-1 telephone system to be created pursuant to
138 sections 28-25 [, 28-25a, 28-25b, 28-26, 28-27, 28-27a, 28-28, 28-28a,
139 28-28b,] to 28-29, inclusive, and section 28-29b, and to advise the
140 Commissioner of Public Safety in the planning, design,

141 implementation and coordination of the Connecticut Public Safety
 142 Data Network established under section 2 of this act. The commission
 143 shall be appointed by the Governor on or before October 1, 1984, and
 144 shall consist of the following members: (1) One representative of the
 145 technical support services unit of the Division of State Police within
 146 the Department of Public Safety; (2) the State Fire Administrator; (3)
 147 one representative from the Office of Emergency Medical Services; (4)
 148 one representative from the Department of Emergency Management
 149 and Homeland Security; (5) one municipal police chief; (6) one
 150 municipal fire chief; (7) one volunteer fireman; (8) one representative
 151 of the Connecticut Conference of Municipalities; (9) one representative
 152 of the Council of Small Towns; (10) one manager or coordinator of 9-1-
 153 1 public safety answering points serving areas of differing population
 154 concentration; and (11) one representative of providers of commercial
 155 mobile radio services, as defined in 47 Code of Federal Regulations
 156 20.3, as amended. Each member shall serve for a term of three years
 157 from July 1, 1984, or until a successor has been appointed and
 158 qualified. No member of the commission shall receive compensation
 159 for such member's services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section
Sec. 3	<i>July 1, 2008</i>	New section
Sec. 4	<i>July 1, 2008</i>	16-256g(a)
Sec. 5	<i>July 1, 2008</i>	28-24(c)
Sec. 6	<i>July 1, 2008</i>	28-29a

PS *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Public Safety, Dept.	E 9-1-1 Fund - Revenue Gain	9,600,000	9,600,000
Public Safety, Dept.	E 9-1-1 Fund - Cost	50,000	7,000,000

Municipal Impact:

Municipalities	Effect	FY 09 \$	FY 10 \$
Various Municipalities	Cost	None	None

Explanation

This bill requires the Commissioner of the Department of Public Safety (DPS) to establish a Connecticut Public Safety Data Network, which is projected to cost \$50,000 in FY 09, \$7.0 million in FY 10 and \$10.0 million to \$12.0 million each year thereafter. The bill provides a ten cent increase to the maximum monthly Enhanced 9-1-1 fee assessment in order to fund the Network, though it is anticipated that this would not provide sufficient funding beginning in FY 11.

The Connecticut Public Safety Data Network (CPSDN) would consolidate existing state agency stand-alone networks, enhance 9-1-1 data exchange functionality, and provide for the convergence of data and voice communications systems via a high-speed fiber optic network, which would be implemented in two Phases. The bill requires that the Office of State-wide Emergency Telecommunications (OSET) create technical and operational standards for Phase I.

The bill specifies that OSET shall create the technical and operational standards for Phase I on or before June 30, 2009. It is

anticipated that a consultant may be needed by DPS to assist in this process for a projected cost of \$50,000 in FY 09.

Phase I consists of providing high-speed fiber optic connectivity to all 107 Public Safety Answering Points (PSAP) in the state. It is projected that this will result in a cost of \$7.0 million in FY 10, consisting of \$4.0 million for the leasing of a fiber network, \$2.0 million for router and switching equipment, \$700,000 to provide back-up and encryption for the system, and \$300,000 to provide increased staffing for DPS and the Department of Information Technology (DOIT)¹.

The bill specifies that revenue sources used to finance existing networks be used to fund the CPSDN, when possible. The bill allows the Department of Public Utility Control to approve an Enhanced 9-1-1 fee of no greater than sixty cents per month per access line, an increase of twenty cents per line over the current rate. Assuming the maximum fee assessment is granted, this would result in an annual revenue gain of \$9.6 million to the E 9-1-1 Fund². It is anticipated that this would allow the CPSDN to be funded completely from the Enhanced 9-1-1 Telecommunications Fund for FY 09 and FY 10. In addition, the Fund currently has a \$10 million reserve, a portion of which would be used to fund any unanticipated costs associated with the CPSDN.

The Out Years

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$	FY 13 \$
Public Safety, Dept.	E 9-1-1 Fund - Revenue Gain	9,600,000	9,600,000	9,600,000
Public Safety, Dept.	E 9-1-1 Fund - Cost	10,000,000	See Below	See Below

¹ DPS and DOIT are currently in the process of determining an exact breakdown of staffing costs for each agency. Regardless of the exact breakdown, however, DPS intends to fund any increased staffing costs for both agencies in full from the E-9-1-1 Fund.

² This assumes that the rate is set at the maximum allowable amount of 60 cents each year and that a static number of 4,011,725 access lines are assessed each month. The actual revenue would vary, subject to DPUC's rate approval and variation in the number of assessed access lines in the state.

Municipal Impact:

Municipalities	Effect	FY 11 \$	FY 12 \$	FY 13 \$
Various Municipalities	Cost	None	Potential Significant	Potential Significant

Phase II consists of expanding the CPSDN to any state agencies and public safety related organizations with emergency response responsibilities.³ It is anticipated that these agencies would be added to the Network in FY 11 at a cost of \$10.0 million, consisting of \$8.0 million for the leasing of a fiber network and \$2.0 million for router and switching equipment. Municipal police, fire, EMS, and public works departments are anticipated to be added to the network in FY 12 and FY 13 at a cost of \$10.0 million to \$12.0 million annually.

The cost of expanding the Network to state agencies and municipal facilities with emergency response responsibilities is anticipated to be funded from the Enhanced 9-1-1 Telecommunications Fund. Though the increase in the fee assessment provided in the bill is projected to be sufficient to fund the expansion of the Network to state agencies, it is anticipated that these funds alone would not be sufficient to implement the expansion of the Network to all municipal emergency response facilities in FY 12.

In addition, the bill requires the Commissioner of Public Safety to enter into memoranda of understanding with all public safety personnel concerning the use of the CPSDN and cost sharing related to such use. It is anticipated that only non-critical facilities with emergency response responsibilities would be required to enter into the cost sharing agreement specified in the bill. This would result in a cost to state agencies and municipalities choosing to include additional termination points on the Network, at a cost of between \$5,000 and

³ Specifically, these agencies include the Department of Public Safety, the Department of Emergency Management and Homeland Security, the Department of Motor Vehicles, the Department of Public Health, the Department of Environmental Protection, the Military Department, the Commission on Fire Prevention and Control, the Department of Transportation, the Department of Information Technology, the Judicial Department, and municipal police, fire, EMS, and public works departments.

\$10,000 per termination point, to be funded by that agency or municipality.

OLR Bill Analysis**sHB 5040*****AN ACT ESTABLISHING A CONNECTICUT PUBLIC SAFETY DATA NETWORK.*****SUMMARY:**

This bill requires the Department of Public Safety (DPS) commissioner to establish, in two phases, a Connecticut Public Safety Data Network in an electronic format that will facilitate data exchange among public safety personnel. It defines “data” as a representation of text, images, voice, or information that may be transmitted digitally. It requires the commissioner and public safety personnel to enter into agreements governing use of the network and cost sharing (apparently for Phase II).

The bill requires the E 9-1-1 Commission to advise the commissioner in planning, designing, implementing, and coordinating the network. It requires DPS to report the network’s implementation status to the Public Safety Committee by January 15, 2009, annually.

The bill (1) increases to 60, from 50, cents per month per access line, the maximum amount that the Department of Public Utility Control (DPUC) may assess subscribers to fund the E 9-1-1 program, and (2) expands what the money may be used for to include Phase I of the network implementation. By law, DPUC must determine the amount of the monthly fee assessed against telephone and commercial mobile radio services subscriber, voice over internet protocol, and prepaid wireless service providers to fund the E 9-1-1 program.

EFFECTIVE DATE: July 1, 2008

CONNECTICUT PUBLIC SAFETY DATA NETWORK***Establishment***

The commissioner must ensure that the network implementation complies with state and federal requirements for controlled limited-access data. The network's objectives must be to (1) consolidate existing state agency stand-alone networks, (2) enhance 9-1-1 data exchange functionality, and (3) provide for the convergence of data and voice communication systems.

Phase I of the network creation must provide high-speed fiber optic connectivity to all public safety answering points authorized by the commissioner. Phase II must provide for expanding the network to other public safety-related organizations with emergency response responsibilities. The Office of State-wide Emergency Telecommunications (OSET) must create technical and operational standards for Phase I by June 30, 2009. The bill defines "fiber optic" as technology that allows the transmission of large amounts of data over networks, using light beams over fibers.

Agreements Governing Network Use

The commissioner must enter into memoranda of understanding (MOUs) with public safety personnel governing network use and cost sharing for such use. Existing MOUs governing the use of controlled access systems, including some specified in the bill, must be revised, where necessary, to comply with state or federal laws to provide for their inclusion in the network (see BACKGROUND).

Status Reports to Public Safety Committee

DPS must report to the Public Safety Committee on the network's implementation status, by January 15, 2009, and annually thereafter. The report must (1) list all public safety personnel and all connections completed to them, (2) identify actions and resources needed to complete connections, and (3) list all MOUs.

Funding for the Network

To the extent possible, the bill requires the new network to be financed with revenue sources used to finance existing networks. It requires the commissioner, in determining the funding needed to

develop and administer the various components of the E 9-1-1 system, to specify the expenses associated with implementing Phase I of the network. By law, he must already specify a range of expenses for the various components of the system.

BACKGROUND

Existing Control Access Systems

Among the existing controlled access systems are the following.

The Connecticut On-Line Law Enforcement Teleprocessing System (COLLECT) is maintained by the State Police. It contains data on wanted persons, criminal history records, protective orders, driver license and motor vehicle information, among other records. It is supported by the DPS operating budget, grants, and state bond funds.

The sex offender registry, maintained by the State Police, is a state database containing the names of people convicted, or acquitted by reason of insanity, of certain sex offenses.

The automated fingerprint identification system is a state database containing fingerprints of criminals, criminal suspects, and job applicants. The system was developed with state bond funds, grants, and DPS operating budget funds.

E 9-1-1 is the enhanced 9-1-1 service. Funding for the program comes from a telephone line surcharge, which customers pay to their telephone service providers and the providers remit to OSET.

The National Instant Criminal Background Check System is a federal database of people prohibited from possessing or acquiring firearms. Firearm dealers check the database before transferring firearms. The state provides information to the database under state law and an MOU.

The Paperless Re-Arrest Warrant Network is maintained by the Judicial Branch. It is an electronic database that contains arrest warrants of people who failed to appear in court

The Offender Based Tracking System is a Judicial Branch System database that interfaces with other criminal justice systems.

Public Safety Answering Point (PSAP)

A PSAP is a 24-hour facility that receives 9-1-1 calls and dispatches emergency response services or transfers emergency calls to other public safety agencies.

E 9-1-1 Commission

The commission advises OSET on the planning, design, implementation, and coordination of the statewide emergency 9-1-1 telephone system.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 0 (02/28/2008)